



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Seguin et al.

GROUP: 2876

SERIAL NO: 10/056,352

EXAMINER: K. Koyama

FILED: 01/24/2002

FOR: TEST TUBE WITH DATA MATRIX CODE MARKINGS

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TERMINAL DISCLAIMER TO OBVIATE**  
**A DOUBLE PATENTING REJECTION (37 C.F.R. §1.321(c))**

I, Maurice E. Gauthier,  
(type or print name of attorney signing disclaimer)

represent that I am the attorney of record for this invention.

NOTE: The Rules "permit an attorney or agent of record to sign a terminal disclaimer without the need to comply with §3.73(b)".

**IDENTITY OF ASSIGNEE**

The assignee is

Name of assignee Matrix Technologies Corporation  
Address of assignee 22 Friars Drive  
Hudson, NH 03051

**EXTENT OF ASSIGNEE'S INTEREST**

The extent of the interest in this invention that the assignee owns is in:

X the whole of this invention.  
       a sectional interest in this invention, as follows:

(state the exact interest of the assignee)

## RECORDAL OF ASSIGNMENT IN PTO

(if applicable)

☒ The assignment was recorded on 12/16/1999.  
Reel 010462.  
Frame 0875.

☐ A separate ☐ "Assignment (Document) Cover Sheet" or ☐ Form PTO-1595 is also attached.

### DISCLAIMER

The terminal part of the statutory term of any patent granted on the above-identified application or the above-identified patent that is subject to re-examination, which would extend beyond the expiration date of the full statutory term defined in 35 USC §§154 to 156 and §173 of the patent or application forming the basis of the double patenting rejection.

☐ United States Patent No. \_\_\_\_\_, as presently shortened by any terminal disclaimer,

☒ Any patent granted on application number 10/056,352,

is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to

☒ United States Patent No. 6,372,293,

☐ Any patent granted on application number 09/,

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC §§154 to 156 and §173,

☒ United States Patent No. 6,372,293, as presently shortened by any terminal disclaimer,

☐ Any patent granted on application number 09/,

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

### FEE STATUS

(37 CFR §1.20(d))

☒ Other than a small entity – fee \$110.00.

☐ Small entity – fee \$55.00.

☐ A statement is attached.

☐ A statement was already filed.

### FEE PAYMENT

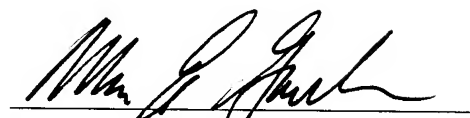
☒ Attached is a check in the sum of \$ 110.00.

☐ Charge Account No. 19-0079 for any fee deficiency.

☐ Charge Deposit Account No. 19-0079 the sum \$ \_\_\_\_.

A duplicate of this disclaimer is attached.

Date: \_\_\_\_\_



Maurice E. Gauthier

Registration No. 20,798

Samuels, Gauthier & Stevens

225 Franklin Street, Suite 3300

Boston, Massachusetts 02110

Telephone: (617) 426-9180

Extension 113